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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5+

Application Number

10/686,326

Filing Date

10/14/2003

First Named Inventor

Gary Weller

Art Unit

3731

Examiner Name

Julian Woo

Attorney Docket Number

SATTY-69258

ENCLOSURES (Check all that apply)

- ☒ Fee Transmittal Form
☒ Fee Attached
☐ Amendment / Reply
☐ After Final
☐ Affidavits/declaration(s)
☐ Extension of Time Request
☐ Express Abandonment Request
☒ Information Disclosure Statement
☐ Certified Copy of Priority Document(s)
☐ Response to Missing Parts/
Incomplete Application
☐ Reply to Missing Parts under
37 CFR 1.52 or 1.53

- ☐ Drawing(s)
☐ Licensing-related Papers
☐ Petition
☐ Petition to Convert to a
Provisional Application
☐ Power of Attorney, Revocation
Change of Correspondence Address
☐ Terminal Disclaimer
☐ Request for Refund
☐ CD, Number of CD(s) _____
☐ Landscape Table on CD

- ☐ After Allowance Communication
to TC
☐ Appeal Communication to Board
of Appeals and Interferences
☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply)
☐ Proprietary Information
☐ Status Letter
☒ Other Enclosure(s) (please
identify below):

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Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fulwider Patton LLP		
Signature			
Printed name	Douglas R. Peterson		
Date	12/12/05	Reg. No.	53,458

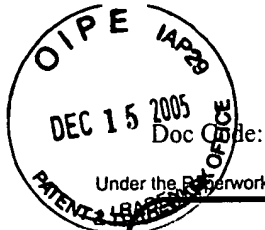
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Douglas R. Peterson	Date	12/12/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)
Approved for use through 07/31/2006. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 2646) FEE TRANSMITTAL for FY 2005		Complete if Known	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/686,326
TOTAL AMOUNT OF PAYMENT (\$)		Filing Date	October 14, 2003
\$180.00		First Named Inventor	Gary Weller
		Examiner Name	Julian Woo
		Art Unit	3731
		Attorney Docket No.	SATTY-69258

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☐ Deposit Deposit Account Number: 06-2425 Deposit Account Name: Fulwider Patton

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid(\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims Extra Fee (\$)
- 20 or HP = _____ x \$25.00 = \$0.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Fee (\$)
- 3 or HP = _____ x \$100.00 = \$0.00

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets **Number of each additional 50 or fraction thereof** **Fee (\$)** **Fee Paid (\$)**
- 100 = 0 / 50 0 (round up to a whole) x \$125.00 = \$0.00

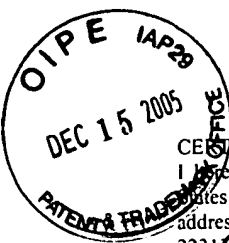
4. OTHER FEE(S)

Non-English specification, \$130 fee (no small entity discount)
Other (e.g., late filing surcharge): Submission of an Information Disclosure Statement \$180.00

SUBMITTED BY			
Signature	<u>Douglas R. Peterson</u>	Registration No. (Attorney/Agent)	53,458
Name (Print/Type)	Douglas R. Peterson	Telephone	310-824-5555
		Date	<u>12/12/05</u>

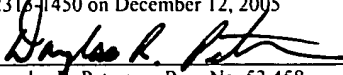
This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Douglas R. Peterson, Reg. No. 53,458

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/686,326
Applicants : Gary Weller, Jamy Gannoe, Craig Gerbi, Douglas S. Sutton,
: Andrew H. Hancock, Gilbert Mata, Jr.
Filed : October 14, 2003

Art Unit : 3731
Examiner : Julian W. Woo
Title : SYSTEM FOR TISSUE APPROXIMATION AND FIXATION

Docket No.: : SATTY-69258
Customer No. : 24201

SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Dear Sir:

The document listed on the enclosed Form PTO/SB/08a has come to the attention of Applicants and is submitted to the Office under 37 C.F.R. § 1.97(c) (2).

The petition fee set forth in 37 C.F.R. § 1.17(p) of \$180 is enclosed. Please charge any deficiency in fees or credit any overpayment to our Deposit Account No. 06-2425. A duplicate copy of this letter is enclosed.

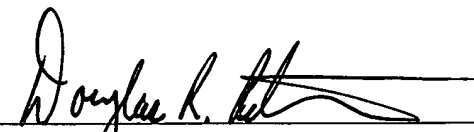
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01 FC:1806

180.00 OP

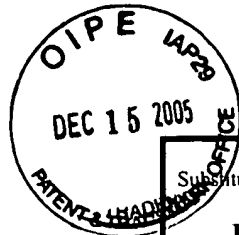
Respectfully submitted,
FULWIDER PATTON LLP

By:



Douglas R. Peterson
Reg. No. 53,458

Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201
109504.1



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 7

Complete if Known

Application Number	10/686,326
Filing Date	October 14, 2003
First Named Inventor	Gary Weller
Art Unit	3731
Examiner Name	Julian Woo
Attorney Docket Number	SATTY-69258

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		2,108,206		02-15-1938	Meeker	
		2,508,690		07-13-1948	Schmerl	
		4,416,267		11-22-1983	Garren et al.	
		4,485,805		12-04-1984	Foster, Jr.	
		4,607,618		08-26-1986	Angelchik	
		4,610,383		09-09-1986	Rothfuss et al.	
		4,723,547		02-09-1988	Kullas et al.	
		4,739,758		04-26-1988	Lai et al.	
		4,899,747		02-13-1990	Garren et al.	
		4,927,428		05-22-1990	Richards	
		5,037,021		08-06-1991	Mills et al.	
		5,220,928		06-22-1993	Oddsens et al.	
		5,254,126		10-19-1993	Filipi et al.	
		5,355,897		10-18-1994	Pietrafitta et al.	
		5,382,231		01-17-1995	Shlain	
		5,437,291		08-01-1995	Pasricha et al.	
		5,465,894		11-14-1995	Clark et al.	
		5,549,621		08-27-1996	Bessler et al.	
		5,571,116		11-05-1996	Bolanos et al.	
		5,577,654		11-26-1996	Bishop	
		5,578,044		11-26-1996	Gordon et al.	
		5,584,861		12-17-1996	Swain et al.	
		5,603,443		02-18-1997	Clark et al.	
		5,607,094		03-04-1997	Clark et al.	
		5,662,664		09-02-1997	Gordon et al.	
		5,676,674		10-14-1997	Bolanos et al.	
		5,722,990		03-03-1998	Sugarbaker et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)				
		EP	0 137 878	A1	04-24-1985	Garren et al.		
		EP	0 246 999	A1	11-25-1987	Omikron Scientific Ltd.		
		EP	0 540 010	A2	05-05-1993	Bessler et al.		
		PCT	WO 94/18893	A1	09-01-1994	Fitton et al.		
		PCT	WO 01/66018	A1	09-13-2001	Gambale		
		PCT	WO 01/85034	A1	11-15-2001	Geitz		
		PCT	WO 02/091961	A1	11-21-2002	Hashiba et al.		
		PCT	WO 02/071951	A1	09-19-2002	Alvarez		

Examiner
SignatureDate
Considered

109510.1

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/686,326
				Filing Date	October 14, 2003
				First Named Inventor	Gary Weller
				Art Unit	3731
				Examiner Name	Julian Woo
Sheet 2 of 9	Attorney Docket Number SATTY-69258				

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		5,782,844		07-21-1998	Yoon et al.	
		5,827,298		10-27-1998	Hart et al.	
		5,861,036		01-19-1999	Godin	
		5,868,141		02-09-1999	Ellias	
		5,868,760		02-09-1999	McGuckin, Jr.	
		5,887,594		03-30-1999	LoCicero, III	
		5,928,264		07-27-1999	Sugarbaker et al.	
		5,947,983		09-07-1999	Solar et al.	
		6,086,600		07-11-2000	Kortenbach	
		6,113,609		09-05-2000	Adams	
		6,119,913		09-19-2000	Adams et al.	
		6,159,146		12-12-2000	El Gazayerli	
		6,165,183		12-26-2000	Kuehn et al.	
		6,231,561 B1		05-15-2001	Frazier et al.	
		6,290,674 B1		09-18-2001	Roue et al.	
		6,312,437 B1		11-06-2001	Kortenbach	
		6,338,345 B1		01-15-2002	Johnson et al.	
		6,379,366 B1		04-30-2002	Fleischmann et al.	
		6,387,104 B1		05-14-2002	Pugsley, Jr. et al.	
		6,423,087 B1		07-23-2002	Sawada	
		6,432,040 B1		08-13-2002	Meah	
		6,460,543 B1		10-08-2002	Forsell	
		6,540,789 B1		04-01-2003	Silverman et al.	
		6,561,969 B2		05-13-2003	Frazier et al.	
		6,579,301 B1		06-17-2003	Bales et al.	
		6,663,598 B1		12-16-2003	Carrillo, Jr. et al.	
		6,682,520 B2		01-27-2004	Ingenito	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)				
		PCT	WO 02/024080	A2	03-28-2002	Schurr et al.		
		PCT	WO 02/039880	A2	05-23-2002	McClellan et al.		
		PCT	WO 03/078721	A2	09-25-2003	Sauer		
		PCT	WO 03/086247	A1	10-23-2003	Stack et al.		
		PCT	WO 03/088844	A1	10-30-2003	Zubik et al.		
		PCT	WO 03/094785	A1	11-20-2003	Egan		
		PCT	WO 03/099140	A1	12-04-2003	Kraemer et al.		

Examiner Signature		Date Considered	
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109510.1

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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		Filing Date	October 14, 2003		
		First Named Inventor	Gary Weller		
		Art Unit	3731		
		Examiner Name	Julian Woo		
Sheet	3	of	7	Attorney Docket Number	SATTY-69258

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		6,689,062 B1		02-10-2004	Mesallum	
		6,716,222 B2		04-06-2004	McAlister et al.	
		6,733,512 B2		05-11-2004	McGhan	
		6,736,822 B2		05-18-2004	McClellan et al.	
		6,754,536 B2		06-22-2004	Swoyer et al.	
		6,755,849 B1		06-29-2004	Gowda et al.	
		6,755,869 B2		06-29-2004	Geitz	
		6,756,364 B2		06-29-2004	Barbier et al.	
		6,790,214 B2		09-14-2004	Kraemer et al.	
		6,802,868 B2		10-12-2004	Silverman et al.	
		2001/0014800 A1		08-16-2001	Frazier et al.	
		2002/0035361 A1		03-21-2002	Houser et al.	
		2002/0058967 A1		05-16-2002	Jervis	
		2002/0072761 A1		06-13-2002	Abrams et al.	
		2002/0077661 A1		06-20-2002	Saadat	
		2002/0078967 A1		06-27-2002	Sixto, JR. et al.	
		2002/0082621 A1		06-27-2002	Schurr et al.	
		2002/0143346 A1		10-03-2002	McGuckin, JR. et al.	
		2002/0183768 A1		12-05-2002	Deem et al.	
		2003/0065340 A1		04-03-2003	Geitz	
		2003/0093117 A1		05-15-2003	Saadat	
		2003/0109931 A1		06-12-2003	Geitz	

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Examiner Initials*	Cite No ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)				
		PCT	WO 03/105563	A2	12-24-2003	Saadat et al.		
		PCT	WO 03/105671	A2	12-24-2003	Ewers et al.		
		PCT	WO 2004/017863	A2	03-04-2004	Bessler		
		PCT	WO 2004/019788	A2	03-11-2004	Devries et al.		
		PCT	WO 2004/049911	A2	06-17-2004	Hickle		
		PCT	WO 2004/058102	A2	07-15-2004	Imran		
		PCT	WO 2004/060150	A1	07-22-2004	Smith et al.		
		PCT	WO 2004/103189	A1	12-02-2004	Gambale et al.		
		PCT	WO 2005/023118	A1	03-17-2005	Garza Alvarez		

Examiner Signature		Date Considered	
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Substitute for form 1449A/PTO <h2 style="text-align: center; margin: 10px 0;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center; margin: 5px 0;">(use as many sheets as necessary)</p>		<h3 style="text-align: center; margin: 0;">Complete if Known</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/686,326</td> </tr> <tr> <td>Filing Date</td> <td>October 14, 2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Gary Weller</td> </tr> <tr> <td>Art Unit</td> <td>3731</td> </tr> <tr> <td>Examiner Name</td> <td>Julian Woo</td> </tr> <tr> <td>Attorney Docket Number</td> <td>SATTY-69258</td> </tr> </table>		Application Number	10/686,326	Filing Date	October 14, 2003	First Named Inventor	Gary Weller	Art Unit	3731	Examiner Name	Julian Woo	Attorney Docket Number	SATTY-69258
Application Number	10/686,326														
Filing Date	October 14, 2003														
First Named Inventor	Gary Weller														
Art Unit	3731														
Examiner Name	Julian Woo														
Attorney Docket Number	SATTY-69258														
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		Application Number	10/686,326		
		Filing Date	October 14, 2003		
		First Named Inventor	Gary Weller		
		Art Unit	3731		
		Examiner Name	Julian Woo		
Sheet	5	of	7	Attorney Docket Number	SATTY-69258

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			Application Number	10/686,326
			Filing Date	October 14, 2003
			First Named Inventor	Gary Weller
			Art Unit	3731
			Examiner Name	Julian Woo
			Attorney Docket Number	SATTY-69258
Sheet	6	of	7	

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				Application Number	10/686,326
				Filing Date	October 14, 2003
				First Named Inventor	Gary Weller
				Group Art Unit	3731
				Examiner Name	Julian Woo
				Attorney Docket Number	SATTY-69258
Sheet	7	of	7		

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